

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STUDENT DOE, on behalf of herself
and all others similarly situated

Plaintiff,

Case No. 25-cv-10999

v.

Hon. Mark A. Goldsmith

**THE UNIVERSITY OF MICHIGAN
BOARD OF REGENTS, KEFFER
DEVELOPMENT SERVICES, LLC,
and MATTHEW WEISS,**
Defendants.

**DEFENDANT THE UNIVERSITY OF MICHIGAN
BOARD OF REGENTS' RESPONSE TO PLAINTIFF'S
MOTION TO PROCEED PSEUDONYMOUSLY**

Plaintiff has filed a "Motion to Proceed Pseudonymously." (ECF # 5). While the Board of Regents (the "Board") does not object to the use of pseudonyms, provided that use is subject to the conditions set forth below, it is the Board's position that this issue should not be addressed individually in the eight separate pending related law suits.

The eight lawsuits now pending have similar claims against defendants regarding actions allegedly taken several years ago by former University employee Matthew Weiss. Mr. Weiss was employed by the University for less than two years,

from February 2021 through January 2023.¹ Weiss is now facing federal criminal charges, and the federal indictment alleges that for the two-day period from December 21 – December 23, 2023, he improperly accessed certain computer information on University system(s).

Upon learning of potentially concerning activity in its systems, the University promptly placed Mr. Weiss on leave, forwarded the matter to law enforcement authorities and moved forward with Mr. Weiss' termination. His employment was terminated on January 21, 2023.

Several parties in several of these pending lawsuits have filed Motions to Consolidate and/or Motions to convene a Case Management or Status Conference. The Court has now scheduled a Status Conference for May 14, and instructed the parties to prepare certain information for that Conference. A significant basis for seeking consolidation is to prevent issues of the sort involved in plaintiffs' motion here from being addressed separately in each case, to prevent redundancy and potentially inconsistent processes in the various cases, and – from the Board's perspective – to

¹ While the Complaint alleges that Weiss was improperly accessing data since 2015, (Complaint, ¶55, ECF 1, PageID10), he was not employed by the University until 2021, and any alleged actions he took prior to his employment with the University are irrelevant to claims against the University.

avoid the burden of the time and expense of being obligated to address related issues separately in each lawsuit.

Therefore, the Board requests that the Court hold plaintiffs' motion in abeyance pending the May 14, Status Conference. Ultimately, once the issue of consolidation is addressed, the Board does not object to use of pseudonyms subject to the following terms:

- Plaintiffs' counsel provide, within 2 business days following the Court's Order, counsel for the Board/University of Michigan with each plaintiff's full legal name (current legal name and if different legal name at the time enrolled at the University of Michigan); date of birth and years enrolled as a student at the University of Michigan (and if never enrolled at the University of Michigan the name of the college or university at which enrolled and dates of enrollment);
- The Board/University of Michigan will continue to use the pseudonyms in any Court filings or other communications, (other than names of any plaintiff that has been disclosed in a Complaint or Amended Complaint) and will not otherwise disclose the names to any third parties without stipulation of counsel for the plaintiffs or further Order of the Court;
- Any party may seek to have the Court modify the terms of the use of pseudonyms or to otherwise allow disclosure of plaintiffs' names;

- Nothing the Court orders pretrial regarding use of pseudonyms constitutes a decision on the use of pseudonyms should the matter proceed to trial.

BUTZEL LONG

s/ Daniel B. Tukel
201 West Big Beaver Road
Suite 1200
Troy, Michigan 48084
(248) 258-1616
tukel@butzel.com
(P34978)

DATED: April 24, 2025

Certificate of Service

I hereby certify that on April 24, 2025, I electronically filed the foregoing paper, Defendant The University of Michigan Board of Regents' Response to Plaintiff's Motion to Proceed Pseudonymously, with the Clerk of the Court using the ECF system which will send notification of such filing to all parties registered with ECF.

s/ Daniel B. Tukel
201 West Big Beaver Road
Suite 1200
Troy, Michigan 48084
(248) 258-1616
tukel@butzel.com
(P34978)